

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5-05-CV-478-BO(1)**

<b>GEORGIA-PACIFIC CONSUMER PRODUCTS LP,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	<b>GEORGIA-PACIFIC'S BILL OF COSTS</b>
	)	
<b>v.</b>	)	
	)	
<b>VON DREHLE CORPORATION,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**EXHIBIT E:**

Invoices related to Fees for Witnesses  
(Including spreadsheet summarizing fees)



HUNTON & WILLIAMS LLP  
RIVERFRONT PLAZA, EAST TOWER  
951 EAST BYRD STREET  
RICHMOND, VIRGINIA 23219-4074

TEL 804 • 788 • 8200  
FAX 804 • 788 • 8218

JOHN GARY MAYNARD, III  
DIRECT DIAL: 804 • 788 • 8772  
EMAIL: jgmaynard@hunton.com

FILE NO: 29073.000347

November 10, 2011

**Via Overnight Mail**

Albert P. Allan, Esq.  
409 East Boulevard  
Charlotte, NC 28203

Re: Georgia-Pacific vs. von Drehle Corporation  
5-05-CV-478 BO(1)

Dear Al:

Following up on my November 4, 2011 letter, enclosed are a subpoena for production of objects on von Drehle Corporation and trial subpoenas for Messrs Raymond von Drehle, Steven von Drehle, and Arthur Thomas. Also enclosed are checks for mileage fees and witness fees for all three (3) days of trial. I have also enclosed for your convenience a copy of the Notice of Request to bring Tangible Items to trial. Please feel free to contact me should you have any questions.

Sincerely,

John Gary Maynard, III

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

GEORGIA-PACIFIC CONSUMER PRODUCTS LP,

*Plaintiff*

v.

VON DREHLE CORPORATION

*Defendant*

Civil Action No. 5:05-CV-00478-BO

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Raymond von Drehle

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Elizabeth City United States Courthouse 306 East Main Street Elizabeth City, NC 27909	Courtroom No.:
	Date and Time: 11/28/2011 10:00 am

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

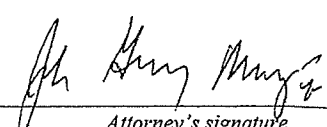
The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Fed. R. Civ. P. 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 11/10/2011

CLERK OF COURT

OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

  
\_\_\_\_\_  
*Attorney's signature*

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_

Georgia-Pacific Consumer Products, LP, who issues or requests this subpoena, are:

John Gary Maynard, III, 951 E. Byrd St. Richmond, VA 23219  
jgmaynard@hunton.com  
(804) 788-8772

Civil Action No. 5:05-CV-00478-BO

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)**

**(c) Protecting a Person Subject to a Subpoena.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney’s fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party’s officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party’s officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert’s opinion or information that does not describe specific occurrences in dispute and results from the expert’s study that was not requested by a party; or

(iii) a person who is neither a party nor a party’s officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.*

These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) *Contempt.* The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

THE ORIGINAL DOCUMENT HAS A WHITE REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW. DO NOT CASH IF NOT PRESENT.

**HUNTON & WILLIAMS**

Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, VA 23219-4074  
804-788-8200

68-2  
510

Check No. **697925**

Date: November 10, 2011

Pay: Five hundred seventy and 84/100

\$ **\*\*\*570.84\*\*\***

**SunTrust**

SunTrust Richmond, VA

Void After 90 Days

PAY  
TO THE  
ORDER OF

Raymond von Drehle

*Barry D. Koral*

⑈000697925⑈ ⑆051000020⑆ 001458094⑈

Payee: Raymond von Drehle  
Vendor ID: 080396

Check #: 697925  
Check Date: 11/10/11

Invoice #	Reference #	Inv Date	Narrative	Invoice Amount	Discount Amount	Withheld Amount	Amount Paid
INV111011		11/10/11	Mileage & witness fees related to Trial Subpoena	570.84			570.84

Check Total: **\$570.84**

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

GEORGIA-PACIFIC CONSUMER PRODUCTS LP,

*Plaintiff*

v.

VON DREHLE CORPORATION

*Defendant*

Civil Action No. 5:05-CV-00478-BO

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Steven von Drehle

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Elizabeth City United States Courthouse 306 East Main Street Elizabeth City, NC 27909	Courtroom No.: Date and Time: 11/28/2011 10:00 am
--	--

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

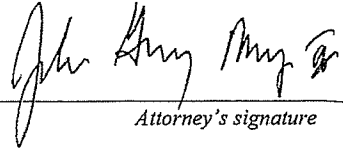
The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Fed. R. Civ. P. 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 11/10/2011

CLERK OF COURT

OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

  
*Attorney's signature*

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_

Georgia-Pacific Consumer Products, LP, who issues or requests this subpoena, are:

John Gary Maynard, III, 951 E. Byrd St. Richmond, VA 23219  
jgmaynard@hunton.com  
(804) 788-8772

Civil Action No. 5:05-CV-00478-BO

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I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

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**HUNTON & WILLIAMS**

Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, VA 23219-4074  
804.788-8200

Check No. **697926**

Date: November 10, 2011

Pay: Five hundred seventy and 84/100 \*\*\*\*\* \$ **\*\*\*570.84\*\*\***

**SunTrust**

SunTrust Richmond, VA

Void After 90 Days

PAY  
TO THE  
ORDER OF

Steven von Drehle

*Barry D. Koval*

⑈000697926⑈ ⑆051000020⑆ 001458094⑈

Payee: Steven von Drehle  
Vendor ID: 080397

Check #: 697926  
Check Date: 11/10/11

Invoice #	Reference #	Inv Date	Narrative	Invoice Amount	Discount Amount	Withheld Amount	Amount Paid
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Check Total: **\$570.84**

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for the

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*Plaintiff*

v.

VON DREHLE CORPORATION

*Defendant*

Civil Action No. 5:05-CV-00478-BO

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Arthur Thomas

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Elizabeth City United States Courthouse 306 East Main Street Elizabeth City, NC 27909	Courtroom No.: Date and Time: 11/28/2011 10:00 am
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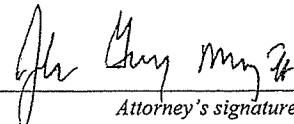
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OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

  
\_\_\_\_\_  
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The name, address, e-mail, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_

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Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
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**HUNTON &  
WILLIAMS**

Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, VA 23219-4074  
804-788-8200

68-2  
510

Check No. **697927**

Date: November 10, 2011

Pay: Five hundred seventy and 84/100 \*\*\*\*\* \$ **\*\*\*570.84\*\*\***

**SunTrust**

SunTrust Richmond, VA

Void After 90 Days

PAY  
TO THE  
ORDER OF:

Arthur Thomas

*Barry D. Koval*

⑈000697927⑈ ⑆051000020⑆ 001458094⑈

Payee: Arthur Thomas  
Vendor ID: 080398

Check #: 697927  
Check Date: 11/10/11

Invoice #	Reference #	Inv Date	Narrative	Invoice Amount	Discount Amount	Withheld Amount	Amount Paid
INV111011		11/10/11	Mileage and witness fees related to Trial Subpoena	570.84			570.84

Check Total: **\$570.84**

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

Georgia-Pacific Consumer Products, LP

*Plaintiff*

v.

von Drehle Corporation

*Defendant*

Civil Action No. 5:05-cv-00478-BO

(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: von Drehle Corporation

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

28810 Dispenser, 810B Paper Towel Roll

Place: Elizabeth City United States Courthouse 306 East Main Street Elizabeth City, NC 27909	Date and Time:  11/28/2011 10:00 am
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☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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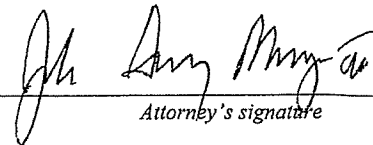
The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 11/10/2011

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

  
Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Georgia-Pacific Consumer Products, LP, who issues or requests this subpoena, are:

John Gary Maynard, III, 951 E. Byrd St. Richmond, VA 23219  
jgmaynard@hunton.com  
(804) 788-8772

Civil Action No. 5:05-cv-00478-BO

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



## Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

### (c) Protecting a Person Subject to a Subpoena.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

#### (2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (d) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) *Contempt.* The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

# Witness Fees

Date on Invoice	Invoice Page	Narrative	Amount
11/7/2006	45	Witness Fee for 3 days of Trial	\$120.00
11/7/2006	45	Witness Fee for 3 days of Trial	\$120.00
3/7/2007	65	Witness Fee for 3 days of Trial	\$120.00
11/10/2011	130	Mileage and Witness Fees related to Trial Subpoena -- Arthur Thomas	\$450.84
11/10/2011	130	Mileage and Witness Fees related to Trial Subpoena -- Steven von drehle	\$450.84
11/10/2011	130	Mileage and Witness Fees related to Trial Subpoena -- Raymond von Drehle	\$450.84
Total:			\$1,712.52